

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on the date specified below.

Steffanie A. Parella

Date

January 24, 2002

#61 Reg for  
refund

03-21-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 09/542,032

Examiner: R. Leykinl

Filing Date: April 3, 2000

Group Art Unit: 2837

Inventors: Alvin J. Watson

Attorney Docket: 309.017

Invention: *System and Method for Variable Pump Control*

**REQUEST FOR REFUND  
(37 C.F.R. 1.28(a))**

Commissioner of Patents  
and Trademarks  
Box 17  
Washington, D.C. 20231

OFFICE OF  
PATENT  
FEE  
JAN 26 2002  
11:47  
U.S. PATENT & TRADEMARK  
OFFICE

**I. REFUND REQUEST**

A deposit account credit is requested because the PTO mistakenly charged our deposit account (account number 50-1170) \$1,440.00 for a four month extension fee on December 20, 2001 when it should have been a three-month extension fee. The original amendment and extension fee was mailed on October 29, 2001 with a check in the amount of \$1,274.00 for various fees including a three-month extension fee. Due to national events, our express mail was never received by the Patent Office. On December 19, 2001, the Examiner contacted me concerning the patent application. At this time I faxed the response to the Examiner, including a copy of the check and certificate of mailing, and authorized payment by use of our account. The Examiner charged a four-month extension fee that included the time after the response was originally mailed. Please find enclosed a copy of the certificate of mailing, dated October 29, 2001 along with a copy of the check with the same date that shows a three-month extension fee should have been charged.

**II. METHOD OF REFUND**

Applicant requests that the refund of \$520 be credited to Deposit Account No. 50-1170.

Respectfully submitted,

Peter C. Stomma

Registration No. 36,020

Dated: January 24, 2002



Return To:

USPTO  
Home  
PageFinance  
Home  
Page**Deposit Account Statement**

**Requested Statement Month:** December 2001  
**Deposit Account Number:** 501170  
**Name:** BOYLE & FREDRICKSON, SC  
**Attention:** JAMES BOYLE  
**Address:** 250 E WISCONSIN AVE  
**City:** MILWAUKEE  
**State:** WI  
**Zip:** 53202

| DATE             | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE         | AMT            | BAL          |
|------------------|-----|--------------------|---------------------------|---------------------|----------------|--------------|
| 12/03            | 15  | 78022673           |                           | 362                 | \$100.00       | \$2,413.00   |
| 12/04            | 83  | 09993103           | 141.007                   | 581                 | \$40.00        | \$2,373.00   |
| 12/05            | 142 | 09182977           | 09247/002001              | 179                 | \$30.00        | \$2,343.00   |
| 12/05            | 159 | 499378             |                           | 567                 | \$30.00        | \$2,313.00   |
| 12/06            | 1   | 09471818           | 117                       | 103                 | \$18.00        | \$2,295.00   |
| 12/06            | 366 | 09914867           | 1240.026                  | 154                 | \$130.00       | \$2,165.00   |
| 12/10            | 103 | 09591326           | 2268-00937                | 179                 | \$30.00        | \$2,135.00   |
| 12/11            | 40  | 09993103           |                           | 704                 | -\$36.00       | \$2,171.00   |
| 12/11            | 116 | PCT/US01/44917     | 146.042                   | 899                 | \$220.00       | \$1,951.00   |
| 12/11            | 118 | PCT/US01/44917     | 146.042                   | 566                 | \$30.00        | \$1,921.00   |
| 12/12            | 40  | 10006090           | 528.003                   | 102                 | \$48.00        | \$1,873.00   |
| 12/12            | 42  | 10006090           | 528.003                   | 103                 | \$90.00        | \$1,783.00   |
| 12/12            | 176 | 502045             |                           | 466                 | \$30.00        | \$1,753.00   |
| 12/13            | 19  | 09995369           | 1174.174                  | 102                 | -\$174.00      | \$1,927.00   |
| 12/13            | 21  | 09995369           | 1174.174                  | 102                 | \$84.00        | \$1,843.00   |
| 12/13            | 23  | 09995369           | 1174.174                  | 103                 | \$72.00        | \$1,771.00   |
| 12/14            | 24  | 09945028           | 39.004                    | 202                 | \$42.00        | \$1,729.00   |
| 12/17            | 174 | 10013102           |                           | 704                 | -\$84.00       | \$1,813.00   |
| 12/20            | 6   | 09542032           | P-01869-USO               | 118                 | \$1,440.00     | \$373.00 —   |
| 12/21            | 1   | 09542032           | P-01869-USO               | 103                 | \$18.00        | \$355.00     |
| 12/21            | 2   | 09542032           | P-01869-USO               | 102                 | \$336.00       | \$19.00      |
| 12/21            | 29  | E-REPLENISHMENT    |                           | 701                 | -\$1,274.00    | \$1,293.00 — |
| 12/31            | 28  | 1897207            |                           | 704                 | -\$100.00      | \$1,393.00   |
| 12/31            | 30  | 74434350           |                           | 704                 | -\$100.00      | \$1,493.00   |
| START<br>BALANCE |     |                    | SUM OF<br>CHARGES         | SUM OF<br>REPLENISH | END<br>BALANCE |              |
| \$2,513.00       |     |                    | \$2,788.00                | \$1,768.00          | \$1,493.00     |              |

The stamp of the PTO hereon may be taken as acknowledging receipt of the date stamp of:

Attorney PCS

|                               |  |                           |          |
|-------------------------------|--|---------------------------|----------|
| ①                             | Transmittal Form   | <u>\$1274.00</u>          | <u>✓</u> |
| ②                             | Fee Transmittal (in duplicate) with Fee \$ <u>200.00</u> |                           | <u>✓</u> |
| ③                             | Amendment/Response <u>12 pages</u>                       |                           | <u>✓</u> |
| 4.                            | Response to Notice to File Missing Parts of Appln.       |                           | <u>✓</u> |
| 5.                            | Statement/Preliminary Amendment                          |                           | <u>✓</u> |
| ⑥                             | Req. for Ext. of Time (months <u>3</u> )                 |                           | <u>✓</u> |
| 7.                            | Notice of Appeal (in triplicate)                         |                           | <u>✓</u> |
| 8.                            | Copy of Notice of Missing Parts                          |                           | <u>✓</u> |
| 9.                            | Declaration and Power of Attorney                        |                           | <u>✓</u> |
| 10.                           | Recordation Form, Assignment and Fee \$40.00             |                           | <u>✓</u> |
| ⑪                             | Certificate of Mailing                                   |                           | <u>✓</u> |
| 12.                           |  |                           |          |
| Serial No.: <u>09/532.032</u> |  | Date Sent <u>10/29/01</u> |          |
| Inventor(s) <u>WATSON</u>     |  | Date Due <u>11-18-01</u>  |          |
| Client <u>EATON Corp.</u>     |  | Docket No. <u>309.017</u> |          |

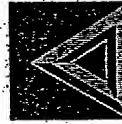
**BOYLE, FREDRICKSON, NEWHOLM, STEIN & GRATZ, S.C.**

**13083**

| DATE     | DESCRIPTION  | INVOICE # | CHECK   |           |
|----------|--|-----------|---------|-----------|
|          |  |           | AMOUNT  | DEDUCTION |
| 10/29/01 | Director of U.S. Patent & Trademark Ofc.<br>10/29/01 3 month extension/309.017 |           | 1274.00 |           |
|          |  |           |         | 1274.00   |
|          |  |           |         | 1274.00   |

| CHECK DATE | CONTROL NUMBER | TOTALS ▶ Gross: | 1274.00 | Ded: | 0.00 | Net: | 1274.00 |
|------------|----------------|-----------------|---------|------|------|------|---------|
| 10/29/01   | 13083          |                 |         |      |      |      |         |

**BOYLE, FREDRICKSON, NEWHOLM,  
STEIN & GRATZ, S.C.**  
250 E. WISCONSIN AVE.  
SUITE 1030  
MILWAUKEE, WI 53202



INTELLECTUAL PROPERTY LAW

**M&I MARSHALL & ILSLEY BANK**  
12-5-750

DATE 10/29/01  
CHECK AMOUNT \*\*\$1,274.00

PAY TO THE ORDER OF: \*\*\* ONE THOUSAND TWO HUNDRED SEVENTY-FOUR & 00/100 DOLLARS

Director of U.S. Patent & Trademark Ofc.  
Washington, DC 20231

TWO SIGNATURES REQUIRED ON AMOUNTS EXCEEDING \$5000